

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

MICKEY LEE ESCAMEA,

Plaintiff,

v.

Case No. 05-C-949

IRONWORKERS LOCAL 8 and GILBERT TOSLEK,

Defendants.

ORDER

Plaintiff has filed an action against the defendants and has claimed indigence in a motion for leave to proceed *in forma pauperis*. In his declaration of assets and income, he states he is presently employed on a part-time basis and has also received student loans. In addition, other assets include three apparently old automobiles, a motorcycle, and an expensive (\$2,400) set of tools. His expenses and dependents, however, make it clear that Mr. Escamea cannot afford the filing fee in this case. Accordingly, the motion to proceed *in forma pauperis* is **GRANTED**.

IT IS FURTHER ORDERED, pursuant to Fed. R. Civ. P. 4(c)(2), that the U.S. Marshals Service shall serve a copy of the complaint, a waiver of service form and/or the summons, and this order upon defendants. Plaintiff is advised that Congress requires the U.S. Marshals Service to charge for making or attempting such service. 28 U.S.C. § 1921(b). The current fee for waiver-of-service packages is \$8 per item. Although Congress requires the court to order service by the U.S. Marshals Service, the U.S. Marshals Service fees are not considered court fees, and Congress has not made any provision for these fees to be waived by the court.

Plaintiff must provide defendants or their counsel with copies of all future motions or papers filed by the plaintiff in this action.

SO ORDERED this 7th day of September, 2005.

s/ William C. Griesbach
William C. Griesbach
United States District Judge